

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

KEVIN SCOTT,

Plaintiff

VS.

Deputy Warden SAMUEL LACEY,
et al.,

Defendants

:
:
:
:
:
:
:
:
:
:
:
:
:

NO. 1:05-CV-158(WLS)

PROCEEDINGS UNDER 42 U.S.C. § 1983
BEFORE THE U.S. MAGISTRATE JUDGE

ORDER

On December 2, 2005, plaintiff **KEVIN SCOTT** was ordered to pay an initial partial filing fee of \$5.83. Plaintiff thereafter wrote the Court a letter indicating that prison officials had deducted \$20.00 from his account in response to said order. This Court learned that the \$20.00 was mailed to the Southern District of Georgia in connection with a case plaintiff is litigating there. As such, the Court advised plaintiff by order dated January 5, 2006, that he remained obligated to pay the \$5.83 within 20 days from the date of his receipt of the Court's order. On January 17, 2006, the Court received another letter from plaintiff, advising that "at this time, I plaintiff will fill out another withdrawal slip to be deducted from my \$10.00 reserve and mail it to the Clerk of Court in the Albany Division." To date, plaintiff has failed to make such payment or to explain his failure to do so.

In accordance with *Wilson v. Sargent*, 313 F.3d 1315 (11th Cir. 2002), plaintiff is hereby **ORDERED** to **SHOW CAUSE** to the Court, **WITHIN TEN (10) DAYS** from the date of his receipt of this Order, why this case should not be dismissed for failure to pay the required initial partial filing fee. Plaintiff shall advise the Court: (1) what attempts, if any, he has made to pay the required \$5.83 partial filing fee; (2) whether he has requested prison officials to withdraw the

required amount from his account and to submit it to the Court; and, if so, what response he has received from prison officials; and (3) whether he wishes to proceed with the instant lawsuit.

In the meantime, there shall be **NO SERVICE** of process upon any defendant.

SO ORDERED, this 13th day of March, 2006.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE